

US Serial No. 10/576770  
Page 5 of 11

Remarks:

*Regarding the Examiner's objection to the title of the application:*

In this paper, the applicant has amended the title of the application to address the Examiner's objection. The new title is believed to be amply descriptive and indicative of the invention to which the claims are directed.

*Regarding the Examiner's objection to the specification, per MPEP 608.01(f):*

In this paper, the applicant has amended the specification to include 2 new paragraphs which supply a brief description of the drawings.

*Regarding the Examiner's objection to the specification, per MPEP 37 CFR 6.01:*

The applicant respectfully traverses the Examiner's objection and points out that 37 CFR 6.01(b) reads: "(b) The specification should include the following sections in order:" and the term *should* indicates the optional applicability of this rule to applications.

With regard to specific rejections raised by the Examiner, the applicant points out that a title had been filed in the application, and this title is amended in this paper.

With reference to related applications, the applicant points out that in the *Preliminary Amendment* transmitted with the application filing papers, the applicant had explicitly requested that the specification be amended to identify the related PCT application by entry of the following new paragraph:

— This is an application filed under 35 USC 371 of PCT/GB2004/003855. —

Thus the applicant believes that these specific objections are inappropriate.

Further, the applicant points out that at the second line of the first page of the Application Data Sheet, the applicant had also expressly identified the current application to be a "35 USC 371 of PCT/GB2004/003855" filing.

US Serial No. 10/576770  
Page 6 of 11

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*Regarding the objections to the drawings:*

The applicant's cancellation of claim 10 is believed to address and overcome the Examiner's grounds of rejection.

Prior to discussing the Examiner's respective rejections of the claims, the applicant points out that the format of these rejections appears to be irregular, in that except for the rejection of claim 1, the Examiner fails to identify the statutory basis for the grounds of rejection in claims 2 through 10. This is believed to be improper. Nonetheless, the applicant's representative enters remarks concerning the rejections of claims 1 through 12.

*Regarding the rejection of claim 1 under 35 USC 103(a) in view of WO 98/30326 to Abercrombie in view of GB 2375959 to Robert Vern Channer (hereinafter "Abercrombie" and "Channer" respectively):*

The applicant traverses the applicant's grounds of rejection in view of the combined Abercrombie and Channer references.

The Abercrombie reference directed to a "filter media" has been acknowledged by the applicant at two places in their specification, as relevant background material. However, Abercrombie fails to provide or to even suggest a monolithic sheet which includes in its construction at least one, preferably a series of lines of weakness or perforations which can serve the dual purposes of both being (i) lines at which adjacent sheets of the filter may be separated from one another, and (ii) lines which may be used to define "fold lines" along which the sheet may be folded, such as to drape the sheet over a garment such as a jacket suspended from a hanger such that the filter media envelopes or overlays both the front and back of the garment. Rather, Abercrombie appears to provide "filter media" which is used to filter streams of fluids passing through said filter media, or as a barrier when such a "filter media" is used as a material to construct a garment, as it provides the benefit of protecting the wearer against skin contact with toxic or noxious substances in the air. (See Abercrombie, page 10, line 23 – page 11, line 5)

US Serial No. 10/576770  
Page 7 of 11

The Channer document provides small individual sheets of a filter media layered in a "stack" similar to a small order pad, wherein individual sheets are removeable along a single line of a perforation adjacent to one edge of each sheet from the "stack". However, it is apparent that none of Channer's sheets are adjacent from one another and are separable from an adjacent sheet along a common edge. Rather, Channer's small "stack" permits for the dispensing of apparently small sized, single sheets of filter material. Channer does not contemplate any other configuration or construction for his articles.

In view of the foregoing it is believed that the Examiner's rejection is improper as the combination of the Abercrombie and Channer references would at best suggest to a skilled artisan to provide a stack or layer a series of small, pre-cut filter media as provided by Abercrombie and to assemble and join these into a "stack" such as provided by Channer and to provide a line of perforations adjacent one of each edge of each of these small, pre-cut filter media and thereby define a "stub" from which an individual "filter media" sheet can be torn away. Such does not suggest nor contemplate the presently claimed invention.

*Regarding the Examiner's remarks concerning Abercrombie and applicant's claim 2:*  
Although the applicant admits Abercrombie to be relevant prior art, the applicant disagrees that claim 2 is unpatentable over the Abercrombie reference. Claim 2 is a dependent claim which depends from claim 1 which is believed to be patentable over both the Abercrombie and Channer references, and thus claim 2 is believed to be patentable as well.

*Regarding the Examiner's remarks concerning Abercrombie and applicant's claim 3:*  
Although the applicant admits Abercrombie to be relevant prior art, the applicant disagrees that claim 3 is unpatentable over the Abercrombie reference. Claim 3 is a dependent claim which depends from claim 1 which is believed to be patentable over

US Serial No. 10/576770  
Page 8 of 11

both the Abercrombie and Channer references, and thus claim 3 is believed to be patentable as well.

*Regarding the Examiner's remarks concerning Abercrombie and applicant's claim 4:*

Although the applicant admits Abercrombie to be relevant prior art, the applicant disagrees that claim 4 is unpatentable over the Abercrombie reference. Claim 4 is a dependent claim which depends from claim 1 which is believed to be patentable over both the Abercrombie and Channer references, and thus claim 4 is believed to be patentable as well.

*Regarding the Examiner's remarks concerning Abercrombie and applicant's claim 5:*

Although the applicant admits Abercrombie to be relevant prior art, the applicant disagrees that claim 5 is unpatentable over the Abercrombie reference. Claim 5 is a dependent claim which depends from claim 1 which is believed to be patentable over both the Abercrombie and Channer references, and thus claim 5 is believed to be patentable as well.

*Regarding the Examiner's remarks concerning Abercrombie and applicant's claim 6:*

Although the applicant admits Abercrombie to be relevant prior art, the applicant disagrees that claim 6 is unpatentable over the Abercrombie reference. Claim 6 is a dependent claim which depends from claim 1 which is believed to be patentable over both the Abercrombie and Channer references, and thus claim 6 is believed to be patentable as well.

*Regarding the Examiner's remarks concerning Abercrombie and applicant's claim 7:*

Although the applicant admits Abercrombie to be relevant prior art, the applicant disagrees that claim 7 is unpatentable over the Abercrombie reference. Claim 7 is a dependent claim which depends from claim 1 which is believed to be patentable over both the Abercrombie and Channer references, and thus claim 7 is believed to be patentable as well.

US Serial No. 10/576770

Page 9 of 11

*Regarding the Examiner's remarks concerning Abercrombie and applicant's claim 8:*

Although the applicant admits Abercrombie to be relevant prior art, the applicant disagrees that claim 8 is unpatentable over the Abercrombie reference. Claim 8 is a dependent claim which depends from claim 1 which is believed to be patentable over both the Abercrombie and Channer references, and thus claim 8 is believed to be patentable as well.

*Regarding the Examiner's remarks concerning Abercrombie and applicant's claim 9:*

Although the applicant admits Abercrombie to be relevant prior art, the applicant disagrees that claim 9 is unpatentable over the Abercrombie reference. Claim 9 is a dependent claim which depends from claim 1 which is believed to be patentable over both the Abercrombie and Channer references, and thus claim 9 is believed to be patentable as well.

*Regarding the Examiner's remarks concerning Abercrombie and applicant's claim 10:*

The applicant's cancellation of claim 10 renders the Examiner's grounds of rejection moot.

*Regarding the Examiner's remarks concerning Abercrombie and applicant's claim 11:*

Although the applicant admits Abercrombie to be relevant prior art, the applicant disagrees that claim 11 is unpatentable over the Abercrombie reference. Claim 11 is a dependent claim which depends from claim 1 which is believed to be patentable over both the Abercrombie and Channer references, and thus claim 11 is believed to be patentable as well.

*Regarding the Examiner's remarks concerning Abercrombie and applicant's claim 12:*

Although the applicant admits Abercrombie to be relevant prior art, the applicant disagrees that claim 12 is unpatentable over the Abercrombie reference. Claim 12 is a dependent claim which depends from claim 1 which is believed to be patentable over

US Serial No. 10/576770  
Page 10 of 11

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both the Abercrombie and Channer references, and thus claim 12 is believed to be patentable as well.

In view of the foregoing remarks, reconsideration of the rejections raised by the Examiner is respectfully requested, and early issuance of a *Notice of Allowance* is solicited. Should the Examiner in charge of this application believe that telephonic communication with the undersigned representative would meaningfully advance the prosecution of this application towards allowance, the Examiner is invited to contact the undersigned at their convenience.

*Regarding the Examiner's statement in the "Notice of Abandonment":*

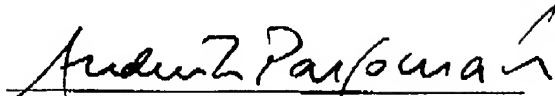
The applicant traverses the Examiner's remarks that "the abandonment was confirmed by applicant's representative." No such confirmation was made, rather in a telephonic communication with the Examiner the undersigned noted that: the Office Action was never received, and that an appropriate response would be filed following consultation with the client. This paper, and the accompanying *Petition* is believed to provide *prima facie* evidence contrary to the Examiner's remark.

#### CONDITIONAL AUTHORIZATION FOR FEES

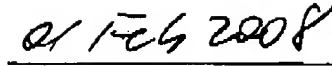
Should any further fee be required by the Commissioner in order to permit the timely entry of this paper, including but not limited to any fees for extensions of time in order to permit for the timely entry of this paper, and for excess claims fees, the Commissioner is authorized to charge any such fee to Deposit Account No. 14-1263, and to consider this authorization as a petition for such necessary relief.

US Serial No. 10/576770  
Page 11 of 11

Respectfully Submitted;



Andrew N. Parfomak, Esq.  
Reg. No. 32,431  
Norris, McLaughlin & Marcus, PC  
875 Third Avenue, 18<sup>th</sup> Floor  
New York, NY 10022

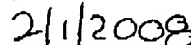


Date:

Tel: 212 808-0700

**CERTIFICATION OF TELEFAX TRANSMISSION:**

I hereby certify that this paper and any indicated enclosures thereon is being telefax transmitted to the US Patent and Trademark Office to telefax number: 571-273-8300 on the date shown below:

  
Allyson Ross  
Date

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